## Approved For Release 2005/03/24: CIA-RDP81-00818R000100040012-7 ADMINISTRATIVE - INTERNAL USE ONLY

DD/S 70-2275

3 JUN 1970

MEMORANDUM FOR: Legislative Counsel

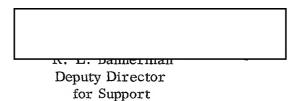
SUBJECT : Agency Po

: Agency Position on S. 782

Jack:

Per our conversation I suggest that paragraph two regarding the exemption feature be rewritten as follows:

"-- a complete exemption for CIA and NSA as is granted to the FBI in the present draft of the Bill. If circumstances permit we could suggest to Congressman Henderson or his staff that consideration be given to extending the exemption privilege to any other Agency or entity having intelligence, investigative, or security functions if the head of the Agency determines that the act cannot be applied in a manner consistent with national security requirements and considerations."



Att: Memo dtd 27 May 70 for DD/S and GC fr John M. Maury, same subject STAT

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27 MAY 1970

MEMORANDUM FOR: Deputy Director for Support

General Counsel

SUBJECT

: Agency Position on S.782

- 1. In a letter to the Director dated 22 May 1970, Representative David Henderson (D., N.C.) requested the Agency's comments on S.782 which was referred to his Manpower and Civil Service Subcommittee following Senate approval. It is understood similar requests were sent to NSA and the Civil Service Commission. Technically, the Bureau of the Budget must clear comments before they are submitted to Representative Henderson.
- 2. However, in anticipation of meeting with the Representative on this subject at an early date, I would like to be prepared to give him the Agency's position on an informal basis as follows:
  - -- A complete exemption for CIA, NSA, or any other agency or entity having intelligence, investigative, or security functions if the head of the agency determines that the act cannot be applied in a manner consistent with national security requirements and considerations.
  - -- If Henderson presses to determine if we can live with a partial exemption, then I propose to suggest the changes underscored on pages 18, 19 and 20 of the attached bill. These changes, I believe, reflect those Agency revisions of Senator Ervin's rough draft proposed amendments which were not incorporated in S. 782 as reported out of Committee and approved by the Senate.

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3. Your concurrence is	requested if the above represents
your current position.	_
	Legislative Counsel
Att	
CONCURRENCE:	
Robert L. Bannerman Deputy Director for Support	Date
Tot outport	
Lawrence R. Houston General Counsel	Date
Distribution:	
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2 - DDS	
1 - OGC 1 - Chrn	
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OLC/LLM:smg (26 May 70)

TRANSMIT	TAL SLIP	DATE	
TO: Legislative Counsel			
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REMARKS:			
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